

Article - Real Property

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§11B–111.8.

(a) In this section, “electric vehicle recharging equipment” has the meaning stated in § 11–111.4 of this article.

(b) A recorded covenant or restriction, a provision in a declaration, or a provision in the bylaws or rules of a homeowners association is void and unenforceable if the covenant, restriction, or provision:

(1) Is in conflict with the provisions of this section; or

(2) Effectively prohibits or unreasonably restricts the installation or use of electric vehicle recharging equipment in a lot owner’s deeded parking space or a parking space that is specifically designated for use by a particular owner.

(c) (1) If approval is required for the installation or use of electric vehicle recharging equipment in a development, the governing body shall process and review an application for approval in the same manner as an application for approval of an architectural modification to a dwelling.

(2) The governing body may not willfully avoid or delay processing and reviewing an application for approval.

(3) If an application is not denied in writing within 60 days after the governing body receives the application, the application shall be deemed approved, unless the delay is the result of a reasonable request for additional information.

(4) The approval or denial of an application shall be in writing.

(d) (1) The governing body shall approve the installation of electric vehicle recharging equipment in a lot owner’s deeded parking space or a parking space that is specifically designated for use by a particular owner if:

(i) Installation:

1. Does not unreasonably impede the normal use of an area outside the lot owner’s parking space; and

2. Is reasonably possible; and

(ii) The lot owner agrees in writing to:

1. Comply with:

A. All relevant building codes and safety standards to maintain the safety of all users of the common area; and

B. The development's architectural standards for the installation of the electric vehicle recharging equipment;

2. Engage a licensed contractor to install the electric vehicle recharging equipment; and

3. Pay for the electricity usage associated with the separately metered electric vehicle recharging equipment.

(2) The lot owner and each successive owner of the electric vehicle recharging equipment shall be responsible for:

(i) Installation costs for the electric vehicle recharging equipment;

(ii) Costs for damage to the electric vehicle recharging equipment or common area resulting from the installation, maintenance, repair, removal, or replacement of the electric vehicle recharging equipment;

(iii) Costs for the maintenance, repair, and replacement of the electric vehicle recharging equipment up until the equipment is removed;

(iv) If the lot owner decides to remove the electric vehicle recharging equipment, costs for the removal and for the restoration of the common area after removal; and

(v) The cost of electricity associated with the electric vehicle recharging equipment.

(e) A lot owner shall obtain any permit or approval for electric vehicle recharging equipment that is required by the county or municipal corporation in which the development is located.

(f) The governing body may grant a license for up to 3 years, renewable at the discretion of the governing body, on any common element necessary for the installation of equipment or for the supply of electricity to any electric vehicle recharging equipment.

(g) A lot owner shall:

(1) Provide a certificate of insurance naming the association as an additional insured; or

(2) Reimburse the association for the cost of an increased insurance premium attributable to the electric vehicle recharging equipment.

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